

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

WASHINGTON UTILITIES AND	)	DOCKET UT-143237
TRANSPORTATION COMMISSION,	)	
	)	
Complainant,	)	DECLARATION OF
	)	AMY ANDREWS
v.	)	
	)	
ETHOS COMMUNICATIONS GROUP,	)	
INC., GO SOLO TECHNOLOGIES, INC.,	)	
IBFA ACQUISITION COMPANY, LLC,	)	
INMATE COMMUNICATIONS	)	
CORPORATION, NET TALK.COM, INC.,	)	
PAC-WEST TELECOMM, INC., TCAST	)	
COMMUNICATIONS, INC., TELECARE,	)	
INC.,	)	
	)	
Respondents.	)	
_____	)	


Amy Andrews, under penalty of perjury under the laws of the State of Washington, declares as follows:

1. I am employed by the Washington Utilities and Transportation Commission (Commission) as a Regulatory Analyst in the Financial Services Section. As a Regulatory Analyst, my responsibilities include conducting compliance investigations of regulated utility and transportation companies. As part of those duties, I investigate telecommunications companies that have failed to timely submit required filings or payments.
2. Regulated telecommunications companies must submit annual reports and file regulatory fees by May 1 of each year. Each year, the Commission distributes an annual report form and a regulatory fee schedule to facilitate these submissions.
3. On February 28, 2014, the Commission mailed an annual report form to each registered telecommunications company at the address on file with the Commission. The annual report form includes a regulatory fee calculation schedule and requires a company to attach other documents as well. A

completed annual report form, with the necessary attachments, constitutes a company's annual report.

4. The annual report form now also includes an instructions page, titled "Instructions for Annual Report Completion," which explains the annual report and regulatory fee submission requirements. The instructions direct the regulated company to return the completed form and pay any regulatory fees by May 1, 2014. The instructions further state that, if the company fails to file a completed annual report and pay regulatory fees by May 1, 2014, the Commission will assess a financial penalty of \$100 for each business day after May 1 that the report was not filed or the regulatory fees remained unpaid. Those companies wishing to request an extension to file the annual report are instructed to do so before April 17, 2014, and to provide a reason for the extension. A copy of the instructions page is attached as Attachment A.
5. In late May and in June, 2014, the Commission assessed penalties under RCW 80.04.405 against all telecommunications companies that had failed to timely file an annual report and pay regulatory fees. The penalty assessment was mailed to each company at its address on file with the Commission. The penalty assessment also notified the company that the Commission could initiate proceedings under WAC 480-121-060 to revoke the company's authority to provide telecommunications services in Washington.
6. On August 20, 2014, I emailed a notification of the pending revocation proceeding to each respondent company at its email address on file with the Commission. In addition, I attempted to telephone each respondent company at the telephone number on file with the Commission. My emails to Ethos, Net Talk, and Tcast appeared to go through, and I was able to leave voicemail messages for Go Solo, IBFA, Inmate Communications, and Telecare. My email to Pac-West was returned for reason of a bad address, and the company's telephone system did not accept my call.
7. In preparation for the annual revocation proceeding, I generated a list from the Commission's Annual Report Tracking System (ARTS) of telecommunications companies registered with the Commission that still had not filed an annual report or paid regulatory fees. As of September 2, 2014, the Commission had received neither the 2013 annual report nor the 2014 regulatory fees from the eight telecommunications companies in the attached draft complaint.

DATED this 17th day of September, 2014, at Olympia, Washington.

  
\_\_\_\_\_  
AMY ANDREWS

## Attachment A

### INSTRUCTIONS FOR ANNUAL REPORT COMPLETION

#### *Commission Authority*

The purpose of this form is to collect financial and operational information from telecommunications companies regulated by the Washington Utilities and Transportation Commission (UTC). The commission's authority for requiring this report is found in RCW 80.04.080. This report is a non-confidential public use form.

#### *Certification*

The Annual Report Certification must be signed by an authorized officer, partner or owner.

#### *Regulatory Fees*

Regulatory fees are set by commission order A-140166.

#### *Deadlines and Penalties*

All telecommunications companies regulated by the UTC are required to complete this form, including all schedules. Failure to complete all schedules will result in the report being considered incomplete and subject to penalties. Completed forms and regulatory fee payments must be received by the UTC no later than **May 1, 2014**. Failure to file the annual report by the above deadline will result in a financial penalty of \$100 for each business day after May 1. Failure to pay the regulatory fees by the above deadline will result in a 2 percent penalty on the amount due and a 1 percent monthly interest charge on the unpaid balance.

#### *Extension Requests*

You may file a written request for an extension to file the completed annual report; however, the commission will not extend the deadline for paying regulatory fees. Any extension request must be filed with the commission by April 17, 2014, and must state a valid reason for why the extension is needed and identify a specific date which the report will be filed with the commission. The commission will notify you by April 24 whether your request is approved or denied. Even if your request is approved, you will still be liable for penalties and interest payments if you fail to pay your regulatory fees by May 1. To file your extension request online visit:

<http://www.utc.wa.gov/docs/Pages/ElectronicFiling.aspx>

#### *No longer operating in Washington*

You may cancel your registration or permit by using the Voluntary Cancellation Form available at:

[www.utc.wa.gov/regulatedindustries/utilities/telcom/pages](http://www.utc.wa.gov/regulatedindustries/utilities/telcom/pages)

However, if your company operated in Washington at any time during the 2013 calendar year, you must pay regulatory fees and file a closing annual report based on the months of operation during 2013.

#### *Confidential Status*

Telecommunications companies may file annual reports as confidential. You must follow the steps for filing confidential documents in WAC 480-07-160. The regulatory fee sheet portion of your report is not a confidential document and will not be accorded confidential treatment under the rule.

To view the confidential requirements in WAC 480-07-160, please visit the following site:

[apps.leg.wa.gov/WAC/default.aspx?cite=480-07-160](http://apps.leg.wa.gov/WAC/default.aspx?cite=480-07-160)

#### *Electronic Filing and Payment*

To obtain an electronic format of the report, submit a report online or pay your regulatory fees online visit:

[www.utc.wa.gov/regulatedindustries/pages/annualreports](http://www.utc.wa.gov/regulatedindustries/pages/annualreports)

#### *Staff Contact*

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